

Notice of Allowability

Application No.

10/783,733

Examiner

Phuoc H. Nguyen

Applicant(s)

GOLD ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed on April 11, 2007 and was interviewed on July 5, 2007.
2. ☒ The allowed claim(s) is/are 1-6,8-13,15-18,20,23-28,30 and 31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date July 5, 2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Phuoc H. NGUYEN

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kenneth J. LuKacher (Reg. No. 38,539) on July 5, 2007.

Listing of the Claims:

Claims 7, 14, 19, 21, 22 and 29 have been cancelled.

Claims 1, 8, 18, 20, 27 and 31 have been amended as follow:

1. (currently amended) A system for measuring reactions to packaging, advertising, and product configuration at computer systems over a network, said system comprising:

at least one first computer system connected to said network;

at least one second computer system capable of connecting to said first computer system through said network in which said first computer system has a browser for viewing pages from said second computer system;

said second computer system sending to said first computer system a set of questions to be displayed by the browser on one or more pages having one or more images downloaded from said second computer system for storage by the browser in memory of said first computer system which are displayed into pixel areas on display of the first computer system which avoids user detection or avoid user discernment of the downloaded images, and said second computer system receives answers from said questions from said first computer system; and

said second computer system instructs the browser of said first computer system to display for user viewing at least one of said downloaded images from the memory of the first computer system for a pre-determined short interval of time, and to display at least one question regarding said image displayed for said pre-determined short interval of time, and said second computer system receives the answer from said question from said first computer system, wherein said short interval of time is at or less than one and one-half seconds.

8. (currently amended) A method for measuring reactions to evaluate the effectiveness of a target element in one or more primary images of a plurality of elements including the target element by a respondent over a network, comprising the steps of:

connecting a client computer system of a respondent over a network to at least one server computer system;

sending from the server computer system to a client computer system survey questions;

displaying on a display coupled to the client computer system said survey questions on one or more pages on the display;

answering the questions at the client computer system displayed on each of said pages on the display;

returning from the client computer system to the server computer system answers to the survey questions from each page;

downloading images to the client computer system from the server computer system for storage in memory of the client computer system while said displaying and answering steps are being carried out, in which said downloaded images are displayed onto the pages at said

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displaying step at pixel areas which avoids user detection or avoids user discernment of the images;

sending from the server computer system to the respondent computer system instructions directing the client computer system to display survey directions and one of the images for a specified interval of time, and at least one question having selectable responses, in which said interval of time is at or less than one and one-half seconds;

displaying at the respondent computer system in accordance with said instructions said survey directions and one of said images stored at said downloading step from memory of the client computer system for said specified interval of time, and at least one question regarding the displayed image with at least one of said responses being selected by said respondent; and

returning from the client computer system to the server computer system said one or more of said selected responses to said question regarding the displayed image.

18. (currently amended) A web site for downloading images to a browser operating on a client computer system having a display and a cache for temporary storage of files, said client computer system being capable of communicating via a network to the web site, said system comprising:

at least one server computer system at the web site storing images in which said server computer system is capable of communicating with said client computer system over said network; and

means for sending instructions defining a plurality of pages from said server computer system to said client computer system in which each of said plurality of pages requests from said

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server computer system a common series of image files, and in response to said requests said image files are sequentially downloaded from said server computer system via said network into said cache of the client computer system and displayed on said pages by the browser each in a small pixel area on the display so that said images are not detectable or not discernable by a user of said client computer system; and

means for sending instructions to said client computer system to display from said cache an image from one of said image files, wherein said image from said cache is displayed for a short interval of time, and said interval of time is at or less than one and one-half seconds.

20. (currently amended) The web site according to Claim ~~18~~ 19 wherein said interval of time said image from said cache is displayed is for a pre-determined interval of time.

27. (currently amended) A system for downloading latent images having two or more computer systems coupled over a network comprising:

a first computer system which stores a plurality of images; ~~and~~

a second computer system which receives successive pages from said first computer system in which each of said successive pages are capable of having a common series of image requests to enable download of images from said first computer system which are displayable in said pages in pixel areas on display of the second computer system that avoids user detection or avoid user discernment of each of the downloaded images; and

said first computer system instructs said second computer system to display for user viewing at least one of said downloaded images from memory of the second computer system for

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a pre-determined short interval of time, wherein at least one of said images downloaded is displayed for said pre-determined interval of time at said second computer system, and said pre-determined interval of time is at or less than one and one-half seconds.

31. (currently amended) A web site for downloading images to a browser operating on a client computer system having a display and a cache for temporary storage of files, said client computer system capable of communicating via a network to the web site, said system comprising:

at least one computer server at the web site storing one or more images in which said computer server is capable of communicating to the client computer system over a network, in which said computer server sends instructions defining one or more pages from said computer server to said client computer system, and each of said one or more pages requests from said computer server a common series of one or more image files, and in response to said requests said image files are sequentially downloaded from said computer server via said network into said cache of the client computer system and displayed on said one or more pages by the browser of said client computer system each in a pixel area on the display so that said images are not detectable or not discernable by a user of said client computer system, wherein said computer server sends instructions to said client computer system to display from said cache of said client computer system at least one of said downloaded image files for a pre-determined interval of time, and said interval of time is at or less than one and one-half seconds.

Examiner's Statement of Reasons for Allowance

1. This office action is in response to the amendment filed on April 11, 2007 and was interviewed on July 5, 2007.
2. Applicant amended claims 1, 8, 18, 20, 27 and 31, and cancelled claims 7, 14, 19, 21, 22 and 29.
3. Claims 1-6, 8-13, 15-18, 20, 23-28 and 30-31 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter:

The present invention is directed to a system and method for downloading images to a client computer system having a display and a cache for temporary storage of file. Claims 1, 8, 18, 27 and 31 uniquely identify a distinct feature "downloading images are displayed onto the pages at displaying pixel areas which avoids user detection or avoids user discernment of the images, and display for user viewing downloaded images for a pre-determined interval of time wherein the pre-determined interval of time is at or less than one and one-half second." and in combination with other limitations as set forth in the independent claims. Claims 2-6, 9-13, 15-17, 20, 23-24, 28 and 30 are allowed due to dependent claims.
5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Monday - Friday.

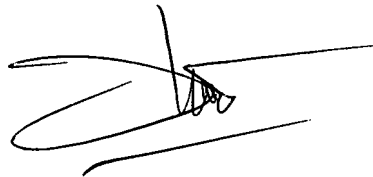
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phuoc H Nguyen
Examiner
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July 5, 2007

A handwritten signature in black ink, appearing to be 'Phuoc H Nguyen', written over a horizontal line.